

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA ) Case No. 1:15-cr-124  
v. )  
BILLY RAY WILSON ) District Judge Harry S. Mattice  
 )  
 ) Magistrate Judge Christopher H. Steger

## **ORDER**

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 73] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count Three of the four count Indictment; (2) accept Defendant's guilty plea as to Count Three of the four count Indictment; (3) adjudicate Defendant guilty of distribution of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and (4) order that Defendant remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 73] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count Three of the four count  
Indictment is **GRANTED**;

2. Defendant's plea of guilty to Count Three of the four count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of distribution of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on January 26, 2018 at 9:00 a.m. before the undersigned.

**SO ORDERED.**

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*/s/ Harry S. Mattice, Jr.*  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE